

Regular Session, 2012

SENATE BILL NO. 150

BY SENATORS THOMPSON, ALLAIN, GALLOT, LONG AND WALSWORTH

AGRICULTURE/FOREST DEPT. Provides relative to the membership of certain commissions within the Department of Agriculture and Forestry. (gov sig)

AN ACT

To amend and reenact R.S. 3:1604(A)(5), 1743(A) and (C), and 3801(C)(3) and (G), relative to changes in the membership of certain commissions within the Department of Agriculture and Forestry; to provide for the membership of the Boll Weevil Eradication Commission; to provide for the membership of the Louisiana Sweet Potato Advertising and Development Commission; to provide for the membership of the Horticulture Commission; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 3:1604(A)(5), 1743(A) and (C), and 3801(C)(3) and (G) are hereby amended and reenacted to read as follows:

§1604. Boll Weevil Eradication Commission

A. In accordance with R.S. 36:901, the Boll Weevil Eradication Commission is hereby created within and is transferred to the Department of Agriculture and Forestry and shall consist of eight members as follows:

* * *

(5) ~~The chairman~~ **A member** of the Louisiana Agricultural Consultants Association **selected by the executive board of the association,** ~~or his designee,~~

who shall serve as an ex officio member in an advisory capacity.

* * *

§1743. Louisiana Sweet Potato Advertising and Development Commission; creation
and organization

A. The Louisiana Sweet Potato Advertising and Development Commission is created with its domicile at Baton Rouge, Louisiana, to be composed of ~~thirteen~~ eleven members, ~~twelve~~ ten of whom shall be appointed by the commissioner of agriculture and forestry. The ~~thirteenth~~ eleventh member shall be the commissioner, or his designee, who shall serve as an ex officio member of the commission with the same rights and privileges, including voting rights, as other members. Four of the ~~twelve~~ ten members to be appointed shall be practical sweet potato growers, four shall be handlers or shippers of sweet potatoes, and ~~three~~ two shall be commercial processors, ~~and one shall be a banker with knowledge of the sweet potato industry.~~

* * *

C. A majority of the members of the commission shall constitute a quorum for the transaction of all business and the carrying out of duties of the commission. Each member shall take and subscribe to the oath of office prescribed for state officers. No member of the commission shall receive any salary, but each **appointed** member shall receive the sum of fifteen dollars per day for each day spent in actual attendance of meetings of the commission, or of meetings of duly appointed committees or subcommittees thereof, and such allowance for traveling expenses in attending the meetings as is allowed other state employees for traveling expenses.

* * *

§3801. Horticulture Commission

* * *

C. The following members shall be appointed by the commissioner, subject to confirmation of the Senate, and shall serve terms of four calendar years beginning with the year of appointment in accordance with the following provisions:

* * *

(3) The licensed wholesale florist shall be appointed during the third year of each administration from a ~~list of three persons nominated by the Louisiana Wholesale Florists Association~~ **the wholesale florists licensed by the commission.**

* * *

G. The commissioner of agriculture and forestry, the assistant commissioner for agricultural and environmental sciences, and the director of the Louisiana Cooperative Extension Service may name designees to attend meetings for those officers. The commissioner ~~shall~~ **may** appoint an alternate member for each member he appoints. If the member is appointed from a list of nominees, the alternate shall be appointed from the same list. Any designee or alternate who attends a meeting as a representative of a member shall have the same rights, powers, and privileges, including voting rights, as the member he represents.

* * *

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Curry Johnson.

DIGEST

Thompson (SB 150)

Present law (R.S. 3:1604) creates the Boll Weevil Eradication Commission within the Department of Agriculture and Forestry and provides for it to consist of 8 members.

Proposed law retains present law.

Present law provides for the chairman of the Louisiana Agricultural Consultants Association or his designee to serve as an ex officio member.

Proposed law changes present law to provide that a member of the Louisiana Agricultural Consultants Association selected by the executive board of the association serve as an ex officio member.

Present law (R.S. 3:1743) creates the Louisiana Sweet Potato Advertising and Development Commission composed of 13 members, 12 of whom are appointed by the commissioner.

Proposed law decreases the membership from 13 to 11 members, 10 of whom are appointed by the commissioner.

Present law requires that 4 members are practical sweet potato growers and 4 are handlers or shippers of sweet potatoes.

Proposed law retains present law.

Present law further requires that 3 members are commercial processors and one is a banker with knowledge of the sweet potato industry.

Proposed law decreases the number of commercial processors from 3 to 2 and eliminates the banker with knowledge of the sweet potato industry from the commission.

Proposed law retains the commissioner as an ex officio member of the commission and allows him to appoint a designee.

Proposed law clarifies that only appointed members receive per diem.

Present law (R.S. 3:3801) creates the Horticulture Commission within the Department of Agriculture and Forestry.

Proposed law retains present law.

Present law requires that the commissioner appoint a licensed wholesale florist from a list of 3 persons nominated by the Louisiana Wholesale Florists Association.

Proposed law changes present law to require that the commissioner appoint a licensed wholesale florist from the wholesale florists licensed by the commission.

Present law requires the commissioner to appoint an alternate member for each member he appoints.

Proposed law authorizes the commissioner to appoint an alternate member for each member he appoints but does not require that he do so.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 3:1604(A)(5), 1743(A) and (C), and 3801(C)(3) and (G))